

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:15-cv-178-RJC**

In re:)	
)	
CADESHA S. HANSON,)	
)	
Debtor.)	
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)	<u>ORDER</u>
CADESHA S. HANSON,)	
)	
Appellant,)	
)	
v.)	
)	
ANNA COTTEN WRIGHT, trustee,)	
)	
Appellee.)	
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THIS MATTER comes before the Court sua sponte. Appellant Cadesha S. Hanson (“Appellant”) filed her Notice of Appeal from Bankruptcy Case number 15-30431 on April 23, 2015. (Doc. No. 1). When she filed her appeal, Appellant did not pay the required filing fee, and she filed an Application to Proceed in forma pauperis. However, her Application to Proceed in forma pauperis was denied on April 24, 2015, and Appellant was given fourteen (14) days to pay the filing fee of \$298.00. (Bankr. Case No. 15-30431, Doc. No. 27). It appears that Appellant has not paid the required filing fee. (Doc. No. 2). Furthermore, Appellant has failed to file the designation of the items to be included in the record on appeal and a statement of the issues to be presented to this Court as required by Federal Rule of Bankruptcy Procedure 8009. (Id.).

Federal Rule of Bankruptcy Procedure 8009(a)(1) requires an appellant to “file with the

bankruptcy clerk and serve on the appellee a designation of the items to be included in the record on appeal and a statement of the issues to be presented” within fourteen (14) days after the appellant files his notice of appeal. Rule 8009(b)(1) also requires the appellant to order, within fourteen (14) days of filing the notice of appeal, “a transcript of such parts of the proceedings not already on file as the appellant considers necessary for the appeal, and file a copy of the order with the bankruptcy clerk; or file with the bankruptcy clerk a certificate stating that the appellant is not ordering a transcript.” Rule 8003(a)(2) states that a “failure to take any step other than the timely filing of a notice of appeal does not affect the validity of the appeal, but is ground only for the district court or BAP to act as it considers appropriate, including dismissing the appeal.” Failure to pay the required filing or failure to file the required designation of record can warrant dismissal of an appeal.

IT IS, THEREFORE, ORDERED that Appellant show cause why this appeal should not be dismissed for failure to pay the required filing and failure to file a designation of record. Appellant has **seven (7) days** within which to pay her filing fee **AND** file her designation of record along with her statement of the issues to be presented or to provide this Court with good cause explaining her failure to do so. If Appellant fails to remedy these deficiencies or fails to provide good cause explaining these deficiencies **within seven (7) days**, this appeal is likely to be dismissed.

Signed: January 11, 2016



Robert J. Conrad, Jr.
United States District Judge

